



IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

Applicant: Montgomery et al.
Filing Date: 30 August 2000
Serial No.: 09/651,170
Docket No.: 12080-4

Examiner: Rose, S.
Group Art Unit: 1614

For: Light Activated Tooth Whitening Composition and Method of Using Same

Kalow & Springut LLP
488 Madison Avenue – 19th Floor
New York, New York 10022

28 October 2002

Commissioner for Patents
Washington, DC 20231

PRELIMINARY AMENDMENT TO ACCOMPANY RCE

SIR:

Applicants submit this Preliminary Amendment and accompanying Request for Continued Examination (RCE) as Applicants' response to the final Office Action mailed on 26 April 2002 for the above-referenced application. The time period for responding to the Office Action originally expired on 26 July 2002. Pursuant to the enclosed petition and fee for a three-month extension of time, the period for responding to the Office Action now expires on 26 October 2002, which was a Saturday. Accordingly, a response to the 26 April 2002 Office Action is now due Monday 28 October 2002 and thus the present Preliminary Amendment and RCE are timely filed.

11/06/2002 FPATERS 00000001 110171 09651170

01 FC:1202 18.00 CH

Certificate of Mailing Under 37 C.F.R. 1.10

I hereby declare that this correspondence is being deposited with the U.S. Postal Service via Express Mail Label No. EV 035747337 US in an envelope addressed to: Commissioner for Patents, Washington D.C. 20231. **BOX RCE**

OCT 28, 2002

28 October 2002

Evan McHale

Evan McHale

PATENT

TECH CENTER 1600/2900

OCT 31 2002

RECEIVED

#14/C
JRP
11/5/02